

BY ELECTRONIC FILING
MAIL STOP — RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Amendment and Response
To United States Patent and Trademark Office
Examiner's Action Under 37 C.F.R. Section 1.111

I. Introduction

Applicants' Amendment and Response is to an United States Patent and Trademark Office Examiner's Action mailed on December 3, 2008. In the Action, the Examiner set a shortened statutory deadline for Applicants' reply of three months, *i.e.*, by March 3, 2009. Applicants have requested a three-month extension of time, *i.e.*, until June 3, 2009. Accordingly, Applicants' reply is timely under 37 C.F.R. Section 1.7 as it is being filed electronically on June 3, 2009.

The Examiner's Action is a Final Action. Accordingly, Applicants also submit a Request for Continued Examination, with the fee set forth in 37 C.F.R. Section 1.17(e). Under 37 C.F.R. Section 1.114(d), "If an applicant timely files a submission and fee set forth in Section 1.17(e), the Office will withdraw the finality of any Office Action and the submission will be entered and considered." For that reason, Applicants' Amendment and Response is properly captioned as being under 37 C.F.R. Section 1.111.